

PATENT

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May 21, 2001
Date


Linda M. Povinelli

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : B. Brett Finlay *et al.*
Application No. : 09/189,415
Filed : November 10, 1998
For : HOST RECEPTOR FOR PATHOGENIC BACTERIA

Examiner : S. Devi
Art Unit : 1645
Docket No. : 482112.402
Date : May 21, 2001

Commissioner for Patents
Washington, DC 20231

REQUEST FOR MISSING OFFICE PAPER DATED JULY 28, 2001

Commissioner for Patents:

The instant Request is further to a telephone interview, on May 9, 2001, between Applicants' representative and Examiner Devi with regard to the above-identified patent application. In addition, Applicants concurrently submit herewith a Revocation and Substitute Power of Attorney to establish the undersigned as Applicants' attorney/representative of record. The following provides a brief history and current procedural posture of this case, as briefly discussed with Examiner Devi.

This case was originally being prosecuted by another law firm. We were appointed as Applicants' representative in the latter half of June, 2000. A Restriction Requirement and Notice to Comply with the Sequence Rules mailed on January 14, 2000 was issued and Applicants timely replied on March 24, 2000. A subsequent Office Communication mailed on May 8, 2000 alleged the Applicants' reply was non-responsive for failure to make an election. A response to the Office Communication filed with the USPTO on June 8, 2000 noted

that an election was made in the original response to the Restriction Requirement. At this point, the case was transferred to our firm to further prosecute this application.

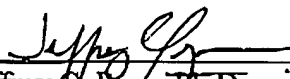
The next communication we received from the USPTO was a Notice of Abandonment mailed March 7, 2001 for failure to respond to the Office Letter mailed July 28, 2000. This Office Letter of July 28, 2000 is not a part of our records. In the telephone conversation noted above, Examiner Devi indicated that the Office Letter mailed on July 28, 2000 (by the prior Examiner assigned to this case) may be a further request to comply with the sequence rules. The above-identified patent application remains of importance to the Applicants. Accordingly, Applicants respectfully request a copy of the Office Letter dated July 28, 2000 so that the Applicants may comply with the Office Letter when filing a Petition to Revoke.

Thank you for being of assistance in this matter. If the Examiner has any remaining questions or concerns, the Examiner is encouraged to telephone the undersigned at (206) 622-4900.



Respectfully submitted,

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May 21, 2001

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TO: U.S. Patent and Trademark Office

Examiner S. Devi

Fax No.: 1-703-308-4242

Phone No.: 1-703-308-9347

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MAY 21 2001

GROUP 1600

RE: U.S. Patent Application No. 09/189,415

Title of Invention: HOST RECEPTOR FOR PATHOGENIC BACTERIA

Attorney Docket No.: 482112.402

☒ Urgent ☐ For Review ☒ Please Confirm Receipt ☐ Please Reply ASAP

Comments:

Attached please find:

1. Transmittal Form PTO/SB/21
2. Request for Missing Office Paper Dated July 28, ²⁰⁰⁰~~2001~~
3. Revocation and Substitute Power of Attorney
4. Statement under 37 CFR 3.73(b)

If you do not receive all pages, please call Linda Povinelli at (206) 622-4900 or fax our office.

Transmission Information: Date 5/21/01 Time _____ By _____

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PTO/SB/21 (08-00)

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**TRANSMITTAL
FORM**



(To be used for all correspondence after initial filing)

Application Number	09/189,415
Filing Date	November 10, 1998
First Named Inventor	B. Brett Finlay
Group Art Unit	1645
Examiner Name	S. Devi
Attorney Docket No.	48212.402


ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement; Form PTO-1449 <input type="checkbox"/> Cited References <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Declaration <input checked="" type="checkbox"/> Statement under 37 CFR 3.73(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> CD(s), Number of CD(s) _____ <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): <u>Request for Missing Office Paper</u> _____ _____
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Remarks**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Individual Name	Jeffrey C. Pepe	 00500 PATENT TRADEMARK OFFICE
Signature		
Date	5/21/01	

CERTIFICATE OF FACSIMILE TRANSMISSION

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Typed or printed name	Linda M. Povinelli	
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